

Remarks

The present application stands with claims 1-6 rejected under 35 U.S.C. §102(b) as being anticipated by the cited Hamabe patent. For the reasons below, amended claim 1 and the claims dependent thereon are not believed to be anticipated by Hamabe.

The Hamabe patent and the specific reference in Hamabe cited by the Examiner describe traditional transmission control based on the reception quality of the downstream and upstream channel signals 31, 32a, 32b, 41 and 42 containing data transmitted between a mobile station and a base station. Hamabe distinguishes these signals from the pilot signal, which he notes as not being shown in his FIG. 1 (see, e.g., column 9, lines 4-5). Hamabe's reference to repetitive frames each having a predetermined time length in column 9, lines 33-43 refers to the framing of these channel signals and makes no reference at all or suggestion that any pilot signal is formed into frames of predetermined length. In Hamabe, transmission power control instructions are transmitted together with the data transmitted between the mobile terminal and the base station.

Hamabe does not at all disclose or suggest that the received pilot signal be framed "into sequential frames each of a predetermined length", that such frames "consist[ing] of only pilot signal bits", and that "the predetermined length of the frames of the framed pilot signal is chosen so that the predetermined frame error rate of the sequential frames of the received pilot signal is associated with a constant predetermined frame error rate of a received fundamental channel." There is no suggestion in Hamabe that such frames consisting only of pilot signal bits be compared "with at least one frame with a known frame pattern of the pilot signal" for purposes of developing an error signal that can be fed back to control the transmission power of the pilot signal. The Examiner's references to column 3, line 57-62 relate only to general power control principles dealing with frames of data and have nothing to do with frames of pilot signal bits.

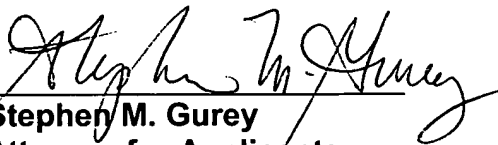
The Examiner's rejection of claim 4, the recitations of which have been substantially incorporated into amended claim 1, do not at all disclose what the Examiner says. There is nothing in the cited column 9, lines 44-53 that at all

relates to the framing of a pilot signal into frames of predetermined length where the predetermined length "is chosen so that a predetermined frame error rate of the sequential frames of the received pilot signal is associated with a constant predetermined frame error rate of a received fundamental channel" since the cited section deals only with data channel itself and not at all with the framing and length of framing of a pilot signal.

Amended independent claim 1 is clearly not anticipated by Hamabe and should therefore be allowed. The dependent claims thereon should therefore also be allowed.

In view of the foregoing, allowance of the amended claims and passage to issue of the subject application is respectfully requested. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact applicants' undersigned attorney at **973, 386-8252**.

Respectfully submitted,
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